



(d) obtaining from said customer a digital graphic layout or image file to be printed.

REMARKS

In response to the Office Action filed June 19, 2002, the applicant amends Claim 1 and submits the following response. Claims 1-17 are currently pending in the present application.

Rejection under 35 U.S.C. § 102

Claims 1-3, 5, 6, and 9-11 were rejected under 35 U.S.C. § 102(e) as being anticipated by Huberman, U.S. Patent No. 5, 826,244, which incorporates in full Lobinondo, U.S. Patent No. 5,287,194. Claim 1 is an independent claim.

The applicant respectfully points out that the present invention, specifically Claim 1, is not anticipated by Huberman. As described in the Office Action, Huberman involves a "brokering printing service[] over the Internet." This requires a third party or third process, referred to in Huberman as a broker process, to coordinate a customer process with a supplier process in order to obtain a price quote. In other words, the customer process must interact with the supplier process, via the brokering process, in order to obtain a price for printing services.

The present invention, however, does not involve accessing or utilizing a supplier process, either directly or via a brokering process, in order to obtain a price quote. Instead, the present invention utilizes a job configuration and price calculator to determine the price for requested printing services. The job configuration and price calculator is directly supplied to the customer and allows the customer to obtain price quotes based on the printing configurations selected by the customer. Thus, a new price quote is automatically calculated every time a customer selects a different job configuration. This allows the customer to enter a number of different printing scenarios and obtain instant pricing on each of these scenarios. There is no interaction with a supplier process, such as the servers of potential suppliers, required to obtain a price quote. If the customer is happy with the price quoted by the calculator, the customer can accept the quote and proceed to the next step of submitting work to be printed.

Claim 1 of the present invention recites elements not taught or disclosed in the Huberman reference, as discussed above. Specifically, Claim 1 includes “supplying to a customer a job configuration and price calculator.” Huberman does not teach supplying a customer with a job configuration and price calculator or any other type of stand-alone tool for calculating price quotes. Instead, Huberman discloses supplying a customer with access to potential suppliers, via a brokering process, to determine printing price quotes.

Claim 1 further includes automatically calculating a price quote based on a customer’s selected configuration options. This language has been amended to more particularly point out and distinctively claim the use of the job configuration and price calculator to automatically calculate a price quote based on the selected configuration options. This language distinguishes the present invention from Huberman because Huberman does not disclose the use of a job configuration and price calculator to determine price quotes for printing services. Instead, Huberman teaches the utilization of a broker process that involves determining price quotes based on numerous bids received from potential suppliers.

Based on the amendment to the language of Claim 1 and the arguments presented above, applicant believes Claim 1 is not anticipated by Huberman and in condition for allowance.

Rejection under 35 U.S.C. § 103

Claims 4, 7, 8, 12, 13, and 15-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Huberman in view of the articles entitled “Roll Over Gutenberg: How the Web is Changing Printing” (Dialog Item U) and “Robert’s Web: Printer Cuts Turnaround Time with Web...” (Dialog Item V). Claims 12 and 17 are independent claims. In addition, Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Huberman, in view of the article entitled “Printing Impressions” (Dialog Item W). Claim 14 is a dependent claim based on independent Claim 12.

The applicant respectfully argues that the present invention, specifically Claims 12 and 17, are not obvious in view of the prior art cited in the Office Action. As argued above,

Huberman does not teach the use of a job configuration and price calculator (as referenced in Claim 12) or a pricing engine (as referenced in Claim 17) to determine price quotes for printing services. Instead, Huberman uses a broker process to determine pricing. This feature is significantly different from the present invention because it allows a customer to obtain numerous bids on a job, in the hope of finding a bid that meets a certain criteria such as lowest price or quickest turnaround time. The present invention, however, does not solicit bids from various printing suppliers, but instead offers printing services for a set price based on printing options selected by the customer. Thus, Huberman does not teach the pricing system of Claim 12 and 17.

Further, the invention of Huberman actually teaches away from the present invention. Huberman is based on obtaining a price quote utilizing an auction system where two identical print jobs may receive different price bids based on the particular suppliers bidding on each job. The present invention, however, always calculates the same price quote for the same type of job because it does not involve obtaining bids from suppliers. Therefore, Huberman does not lend support to the argument that the present invention is obvious, but instead supports the position that the present invention is not obvious.

Dialog Item V, as explained in the Office Action, teaches “a shipping-weight calculator and spine-thickness calculator as a browser tool for localized estimating without having to ‘call the printer.’” This reference fails to teach the pricing system of Claims 12 and 17 because the tool does not provide a set price for printing services. Instead, the price is only an estimate, requiring the customer to “call” the printer. In addition, the calculators mentioned in Dialog Item V are not used for pricing printing services but instead for estimating shipping weight and spine-thickness. Thus, Dialog Item V does not teach the pricing system of the present invention.

In addition, there is no motivation to modify the system and method of Huberman based on Dialog Items U and V. As discussed above, Huberman teaches a system and method of providing printing services over the Internet utilizing an automated broker process. The broker process requires access to numerous printing suppliers in order to obtain price bids and provide a price quote. Dialog Items U and V do not teach a system or method of obtaining price quotes,

either directly from printing suppliers or via a broker process. Subsequently, there is no motivation to combine the prior art references cited in the Office Action.

Based on the failure of the prior art references to teach all the limitations of Claims 12 and 17 and the lack of motivation to combine the prior art references, applicant believes Claims 12 and 17 are not obvious in view of the prior art and in condition for allowance.

Dependent claims 2-11 and 13-16 each depend from and contain all the limits of independent claims 1 and 12, respectively. Thus, dependent claims 2-11 and 13-16 distinguish over the prior art for the same reasons recited above.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Marked-up Version Showing Changes.**"

This application now stands in allowable form and reconsideration and allowance is respectfully requested.

Respectfully submitted,

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MARKED-UP VERSION SHOWING CHANGES

IN THE SPECIFICATION

Priority Claim

--This application claims priority to Provisional Patent Application Serial No. 60/123,328, filed on March 8, 1999, which is hereby incorporated by reference herein.--

IN THE CLAIMS

1. A method of obtaining and processing orders for full color printing, said method comprising the steps of:
 - (a) supplying to a customer a job configuration and price calculator;
 - (b) using said job configuration and price calculator to [calculating] automatically calculate a price quote as said customer selects configuration options on said job configuration and price calculator;
 - (c) displaying automatically said price quote; and
 - (d) obtaining from said customer a digital graphic layout or image file to be printed.